APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/532,937	03/22/2000	Stefan Georg Hild	RSW9-99-132	9182

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EXAMINER
ENGLAND, DAVID E

ART UNIT	PAPER NUMBER
2143	

DATE MAILED: 02/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _01 March 2002_ .

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-30_ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-30_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

   If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

   a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)   4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _2,3_ .   6) ☐ Other: _____ .

DETAILED ACTION

1. Claims 1 – 30 are presented for examination.

Claim Objections

1.   Claims 5, 8, 15, 18, 25, 28 are objected to because of the following informalities: The term "wild card"

in claims 5, 15, 25 do not follow the same format as the term "wildcard" in claims 8, 18, 28. This inconsistency

is throughout the entire application. Appropriate correction is required.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1, 2, 11, 12, 21, 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Merriman et al.

U.S. Patent No. 5948061 (hereinafter Merriman).

3.   Referencing claim 1, Merriman teaches in a networked environment, a method for designating client

properties that a server can use to select or generate targeted content, comprising the steps of:

4.   receiving a link element associated with a plurality of requested client properties, (e.g. col. 3, line 24 –

col. 4, line 11);

5.   selecting said link element, (e.g. col. 3, line 24 – col. 4, line 11); and

6.   inserting at least one of said plurality of requested client properties into a request to retrieve a document,

(e.g. col. 3, line 24 – col. 4, line 11).

7.   Referencing claim 2, Merriman teaches said plurality of requested client properties is contained within

an attribute of said link element, (e.g. col. 3, line 24 – col. 4, line 11).

8. Claims 11, 12, 21, 22 are rejected for similar reasons as stated above.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10. Claims 3, 13, 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Merriman et al. U.S. Patent No. 5948061.

11. As per claim 3, Merriman does not specifically teach wherein said attribute is a PROFILEATTRS attribute.

12. Official Notice is taken that it was a common practice to have an attribute similar to PROFILEATTRS at the time the instant invention was made.

13. It would have been obvious to one having ordinary skill in the computer art at the time of the invention was made to modify the method/system disclosed by Merriman because if a link is selected form a web page and the link gathers information from the user, there is a program tag that give that link the ability to carry out that function. Furthermore, disclosed by the applicant on page 14, lines 9 – 13 states,

"Though Figures 5A, 5B, and 5C show links annotated in a particular way, it is understood that alternative embodiments of this invention may employ a variety of different formats, including different attribute names (other than PROFILEATTRS), different syntax for listing requested properties, or different

syntax for designated wild cards or mandatory attributes, it is understood that these alterative embodiments do not take away form the inventive constructs herein."

14. Claims 13 and 23 are rejected for similar reasons as stated above.

15. Claims 4, 5, 14, 15, 24, 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Merriman (5948061) in view of Gershman et al. (6401085) (hereinafter Gershman).

16. As per claim 4, Merriman does not specifically teach each one of said requested client properties comprises a category, a separator, and a property name. Gershman teaches each one of said requested client properties comprises a category, a separator, and a property name, (e.g. cols. 16 – 17). It would have been obvious to one skilled in the art at the time the invention was made to combine Gershman with Merriman because if the program language requires the programmer to apply this type of context for the program to run properly, it would be in the best interest to use this syntax so that the invention would work.

17. As per claim 5, Merriman does not specifically teach said plurality of requested client properties includes at least one property that is a wild card. Gershman teaches said plurality of requested client properties includes at least one property that is a wild card, (e.g. col. 21 – 22). It would have been obvious to one skilled in the art at the time the invention was made to combine Gershman with Merriman because it would be more efficient for a user to utilize this very common utility as a wild card, (i.e. *.doc, hyper$ism, ect.), to broaden a field of search.

18. Claims 14, 15, 24, 25 are rejected for similar reasons as stated above.

19.   Claims 6, 7, 10, 16, 17, 20, 26, 27, 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Merriman (5948061) in view of Heidorn et al. (6098081) (hereinafter Heidorn).

20.   As per claim 6, Merriman does not specifically teach said plurality of requested client properties

includes at least one property that is designated as a mandatory property. Heidorn teaches said plurality of

requested client properties includes at least one property that is designated as a mandatory property, (e.g. col. 7,

lines 18 – 27). It would have been obvious to one skilled in the art at the time the invention was made to

combine Heidorn with Merriman because it would be more efficient for a system to have at least one property

that the system could use to identify a user. If there is no property for a user then the user does not exist in the

system.

21.   As per claim 7, Merriman does not specifically teach said step of inserting comprises the steps of:

22.   selecting each one property from said plurality of requested client properties; and

23.   determining whether said each one property is available to be transmitted. Heidorn teaches said step of:

24.   inserting comprises the steps of selecting each one property from said plurality of requested client

properties, (e.g. col. 3, line 56 – col. 4, line 34); and

25.   determining whether said each one property is available to be transmitted, (e.g. col. 3, line 56 – col. 4,

line 34). It would have been obvious to one skilled in the art at the time the invention was made to combine

Heidorn with Merriman because it would be more efficient if the system error check to see if the system or user

had specific property data to transmit to the system. If the system didn't have this function it could cause error

in the system and build a property list or table that has incorrect property information about a user making the

system flawed.

26.   As per claim 10, Merriman does not specifically teach the step of terminating the request if a mandatory

property is not available to be transmitted. Heidorn teaches the step of terminating the request if a mandatory

property is not available to be transmitted, (e.g. col. 3, line 56 – col. 4, line 34). It would have been obvious to

one skilled in the art at the time the invention was made to combine Heidorn with Merriman because if the user

didn't have the information that is mandatory for the system to function then the system would not be able to

execute its functions therefore, making the inventions function useless.

27.   Claims 16, 17, 20, 26, 27, 30 are rejected for similar reasons as stated above.

28.   Claims 8, 9, 18, 19, 28, 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Merriman

(5948061) in view of Heidorn (6098081) in further view of Gershman (6401085).

29.   As per claim 8, Merriman and Heidorn do not specifically teach said step of selecting further comprises

expanding a wildcard property. Gershman teaches said step of selecting further comprises expanding a wildcard

property, (e.g. cols. 21 – 22). It would have been obvious to one skilled in the art at the time the invention was

made to combine Gershman with Merriman and Heidorn because it would be more efficient for the system to be

able to utilize the function of a wild card, (i.e. the ability of have a symbol to stand for different files and/or

letters).

30.   As per claim 9, Merriman does not specifically teach said step of determining further comprises

prompting a user whether to transmit said each one property. Heidorn teaches said step of determining further

comprises prompting to transmit said each one property, (e.g. col. 3, line 56 – col. 4, line 34 & col. 7, lines 18 –

27), but does not teach said step of determining further comprises prompting a user whether to transmit.

Gershman teaches said step of determining further comprises prompting a user whether to transmit, (e.g. col. 3,

lines 14 – 29). It would have been obvious to one skilled in the art at the time the invention was made to combine Gershman and Heidorn with Merriman because make a system have more versatility for a user that would want to utilize the system but would not want to divulge certain information that would be considered private and/or vital to a user, (i.e. cookies that might have credit card information, social security number). Having this option would make a user more likely to utilize the invention for it security reasons.

31.   Claims 18, 19, 28, 29 are rejected for similar reasons as stated above.

Conclusion

32.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

33.   a.   Britton et al. U.S. Patent No. 6279030 discloses Dynamic JAVA.TM. class selection and download based on changeable attributes.

34.   b.   Davis et al. U.S. Patent No. 6138155 discloses Method and apparatus for tracking client interaction with a network resource and creating client profiles and resource database.

35.   c.   Schena et al. U.S. Patent No. 6314457 discloses Method for managing printed medium activated revenue sharing domain name system schemas.

36.   d.   Hunt et al. U.S. Patent No. 6496855 discloses Web site registration proxy system.

37.   e.   Kambayashi et al. U.S. Patent No. 6163799 discloses Communication navigation system which easily finds person who is interested in the same topic.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. England whose telephone number is 703-305-5333. The examiner can normally be reached on Mon-Thur, 7:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on 703-308-5221. The fax phone numbers for the organization where this application or proceeding is assigned are none for regular communications and none for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is none.

David E. England
Examiner
Art Unit 2143

De 𝒟ℒ
January 31, 2003

DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100